

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN

In re: Jeffrey & Shannon Neubauer

Case No. 24-10843-13

Debtor(s)

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN and AMENDED
SCHEDULES

Mark Haring, Standing 13 Trustee, by his attorney, objects to confirmation of the Third Amended Chapter 13 Plan and Request to Amend Unconfirmed Plan filed as Document #77 on 10/21/2024 together with Amended Schedules I&J filed as Document #78 and states as follows:

1. Plan is amended to adjust plan payments to \$1184.88/mo for the first 6 months, increasing to \$2225/mo for the final 54 months of a 60 month plan. Although the amended budget supports the debtors' ability to make the higher payments the increase is not sufficient to maintain feasibility.
2. Plan is amended to provide for payment of the \$2500 attorney fee balance pro rata.
3. Plan is amended to provide for payment of \$9171.36 mortgage arrearage as shown on the claim filed by Fay Servicing. Section IIIB actually includes this obligation twice, the second time we are directed to pay the obligation with equal monthly payments of \$169.84/mo.
4. Plan continues to provide for the direct payment of a camper loan. The debtors have provided the loan documentation which makes clear this is a longterm obligation. This office will not object to the direct payment of this loan, the payment is included on Schedule J.
5. Plan is amended to provide for payment of a \$6800.94 supplemental mortgage arrearage claim to be filed by Fay Servicing. This obligation is to be paid with equal monthly payments of \$125.94/mo.
6. Plan is amended to adjust treatment of the secured obligation due Ally Capital with a value of \$30,800, interest rate of 10% and adequate protection/equal monthly payments of \$747/mo.
7. Plan is amended to adjust treatment of the secured obligation due One Main Financial with a value of \$1000, interest rate of 8.5% and adequate protection/equal monthly payments of \$24/mo.
8. Plan is amended to adjust treatment of the secured obligation due Capital One Auto Finance with a value of \$7600, interest rate of 8.5% and adequate protection/equal monthly payments of \$179/mo.

9. Plan is amended to provide for payment of \$5,313.62 priority tax due WDR and IRS. Both of these entities have filed claims indicating unfiled returns with amounts due of \$5,242.64(IRS) and \$5,968.21(WDR). The amounts and the unfiled returns impede confirmation.

10. Plan continues to require 100% distribution to filed unsecured claims. As the bar date ran long ago, the total of filed claims is \$52,720.71. A projection, assuming the higher tax claims must be paid, yields just \$35,525 for general unsecured claims.

11. As these documents were timely filed, the 10/7/2024 Court Order is resolved.

Dated: October 23, 2024

Standing Chapter 13 Trustee

By: /s/ *Leslie Brodhead Griffith*

Leslie Brodhead Griffith

Attorney for Trustee

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